

REMARKS

Claims 1-10 are all the claims pending in the application.

Formal Matter

Applicants note that the Examiner has acknowledged the claim to foreign priority. However, the Examiner has indicated that a certified copy of the document EP 02260276.6 was not received. Applicants submit that the certified copy was indeed submitted and acknowledged as being received as evidence by the date stamped postcard filing receipt.

Claim rejections

Claims 1-3, 5-8, and 10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hedberg et al. (Evolving WCDMA, hereafter "Hedberg"). Claims 4 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hedberg in view of Kogiantis et al. (EP 1,211,820 A1). Applicants traverse these rejections at least for the following reasons.

Independent claims 1, 5, 6, and 10

Claims 1, 5, 6, and 10 recite, *inter alia*, assigning a carrier frequency of a set of at least first and second carrier frequencies to each one of the dedicated channels.

The Examiner contends that Hedberg discloses a Downlink Shared Channel (DSCH) scheme which allows every user equipment for carrier frequencies to have an associated dedicated physical channel (DPCH). However, the Examiner does not point to any portion of Hedberg which allegedly discloses assigning a carrier frequency of a set of at least first and

second carrier frequencies to each one of the dedicated channels. Applicants submit that Hedberg does not disclose the unique feature noted above as defined by claim 1.

Applicants submit that Hedberg is directed towards enhancements techniques for WCDMA systems. Hedberg discloses a technique of open-loop transmit diversity, where the downlink data is transmitted over two antennas (page 126, left column, lines 36-41) and fast scheduling of users sharing the HS-DSCH, which supposedly exploits multi-user diversity and transmits to users with favorable radio conditions (page 128, right column, lines 8-12). However, there is no disclosure in Hedberg of **assigning a carrier frequency of a set of at least first and second carrier frequencies to each one of the dedicated channels**, as recited in claims 1, 5, 6, and 10.

In particular, Hedberg merely discloses open-loop transmit diversity, where the downlink data is transmitted over two antennas simultaneously and does not disclose **assigning a carrier frequency of a set of at least first and second carrier frequencies to each one of the dedicated channels**. Therefore, Applicants submit that claims 1, 5, 6, and 10 are allowable at least for the reasons given above.

Dependent claims 3, 7, and 8

Applicants submit that dependent claims 3, 7, and 8 are allowable at least by virtue of their dependency on either claim 1 or claim 6.

Dependent claims 4 and 9

Applicants submit that since Kongiantis does not cure the deficient teaching of Hedberg and since claims 4 and 9 depend from one of the independent claims, claims 4 and 9 are allowable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

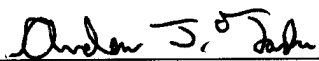
Respectfully submitted,

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